

Judge Marsha J. Pechman

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

ANCORA TECHNOLOGIES, INC.

Plaintiff

vs.

TOSHIBA AMERICA INFORMATION  
SYSTEMS, INC., DELL, INC.,  
HEWLETT-PACKARD  
COMPANY, AND MICROSOFT  
CORPORATION

Defendants

CIVIL NO. 2:09-cv-00270-MJP  
Judge Marsha J. Pechman

AMENDED COMPLAINT OF  
ANCORA TECHNOLOGIES, INC.

Plaintiff, ANCORA TECHNOLOGIES, INC. ("Ancora"), for its Complaint herein, states as follows:

**I. JURISDICTION**

1. This is an action for patent infringement arising under the Patent Laws of the United States, Title 35, United States Code.

2. The subject matter jurisdiction for this Court is founded upon 28 U.S.C. § 1338 (patents) and 28 U.S.C. § 1331 (federal question).

3. Upon information and belief, defendants, Dell, Inc., Hewlett-Packard Company, Toshiba America Information Systems, Inc., and Microsoft Corporation (collectively

1 “defendants”), regularly and continuously engage in substantial sales and other business transactions  
2 in the Western District of Washington, and have sold infringing products and/or committed  
3 infringing acts in this district. The United States District Court for the Western District of  
4 Washington therefore has in personam jurisdiction over the defendants.

## 5 6 **II. THE PARTIES**

7 4. Plaintiff, Ancora Technologies, Inc., is a Delaware corporation, having a place  
8 of business at 14014 Moorpark, #215, Sherman Oaks, CA 91423.

9 5. Upon information and belief, defendant Dell, Inc. is a Delaware corporation  
10 having a place of business at One Dell Way, Round Rock, Texas 78682.

11 6. Upon information and belief, defendant Hewlett Packard Company, is a  
12 Delaware corporation having a place of business at 3000 Hanover Street, Palo Alto, California  
13 94304.

14 7. Upon information and belief, defendant Toshiba America Information  
15 Systems, Inc. has a place of business at 9740 Irvine Boulevard, Irvine, California 92618.

16 8. Upon information and belief, defendant Microsoft Corporation has a place of  
17 business at One Microsoft Way, Redmond, Washington 98052.

## 18 19 **III. BACKGROUND**

20 9. On June 25, 2002, U.S. Patent No. 6,411,941 (“the ‘941 patent”) entitled  
21 “Method Of Restricting Software Operation Within A License Limitation” was duly and legally  
22 issued. (See Exhibit A, U.S. Patent No. 6,411,941.)

23 10. Ancora is the owner of all right, title and interest in the ‘941 patent.

## 24 25 **IV. COUNT I - PATENT INFRINGEMENT**

26 11. Ancora realleges paragraphs 1-10 as set forth fully herein.



1 **VI. DEMAND FOR JURY TRIAL**

2 Ancora respectfully demands a trial by jury of any and all issues triable of right by a jury  
3 in the above-captioned action.  
4  
5  
6  
7

8 Dated: May 15, 2009

Respectfully submitted,

9 BROOKSKUSHMAN P.C.

10 By 

11 MARK A. CANTOR (MI Bar P32661) *Pro Hac Vice*

12 JOHN S. LeROY (MI Bar P61964) *Pro Hac Vice*

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**CERTIFICATE OF ELECTRONIC SERVICE**

I, Sandra Davis, swear under penalty of perjury that under the laws of the State of Washington to the following:

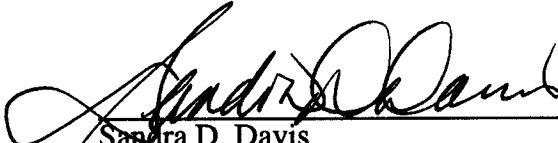
1. I am over the age of 21 and not a party to this action.

2. On the 15<sup>th</sup> day of May, 2009, I caused the preceding document to be served on counsel of record by ECF delivery through the CM/ECF System.

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